

# "They said you'd never make it."

## HINCHINBROOK: A CASE STUDY OF DEVELOPMENT AND ENVIRONMENTAL PROTECTION IN AUSTRALIA

By John Thorpe.

In the mid-eighties Keith Williams was featured in a swan lager commercial, which depicted him as, 'a little aussie battler', having recovered from two mysterious fires that devastated his partially constructed Hamilton Island resort. These fires destroyed much of Hamilton Island's natural habitat, clearing much of the land Williams required to construct his beloved resort.

Having increased his fortune, (and public profile) substantially from his first resort, Williams focused his attention on the creation of a second resort. The largest ever attempted in Queensland.

Oyster Point, (directly opposite Hinchinbrook Island) with its easy access to The Great Barrier Reef World Heritage Area, Hinchinbrook Island WHA, and Wet Tropics WHA; is effectively situated within the largest WHA in Australia. Oyster Point became the prime target for Keith Williams' next venture. This magnificent location, made even more attractive due to the natural protection provided by the island to the 52 km long Hinchinbrook Channel, is home to the World's largest known Dugong population.

Dugongs are shy slow breeding sea mammals that graze on sea-grass within the Channel (and they're cute).

In 1996 the current Minister for the Environment, Senator Robert Hill decided not to list Dugongs as endangered under the Commonwealth Protection Legislation, but to class them as 'vulnerable.' An endangered listing suggests that animals are likely to become extinct within 25 years. A vulnerable listing suggests that animals are likely to become endangered within 25 years. However Dugongs are considered endangered elsewhere.

Environmentalists argue that the criteria for classification is inappropriate for long living, slow breeding animals such as Dugongs. A more appropriate indication for classification would be the degree of decline over three generations. Three generations of Dugongs would equate to 100 years. Researchers are highly unlikely to be optimistic about the species' survival over such a period.

Earlier this century Indigenous communities noticing a decline in Dugong sightings and agreed to cease hunting of Dugongs; which had previously been a valuable source of materials.

The Hinchinbrook Channel is also a highly

sensitive habitat for three species of turtle, and two species of dolphin all currently listed as endangered. Hinchinbrook Island provides a sanctuary for the Mahogany Glider, also endangered, Torresian Pigeon, and the Beach Stone Curlew, which are also under threat.

Keith Williams, aware of the increase in environmental activism and the extreme sensitivity of this World Heritage land, identified high ranking Government officials, inviting them and their guests, (President Clinton and Monica Lewinsky are rumoured to have also been amongst these) to the Hamilton Island resort as his guests; where he could solicit their support for the port Hinchinbrook mega-development.

The resort's plan includes a residential canal estate. Canal estates are banned in most other Australian states due to the massive environmental damage they cause. Also included in the resort's master plan is a petrol station, railway station, artificial beach, and a helipad. Of particular concern is the increase in boating activity that the development of the resort's 250 berth commercial and tourist marina will cause; intended to accommodate vessels up to 35 metres in length.

The massive increase in boat traffic to the Channel is extremely likely to impact on the sensitive endangered species that dwell within its tranquil waters; resulting in an escalation in Dugong mortalities as a result of increased noise pollution, and boat strikes. Such boat strikes are not uncommon to the Florida Manatee, (a not so distant cousin of the Dugong) despite strict speed restrictions to bays where they are known to graze. Currently all marine speed regulations have been lifted by the Queensland Department of Transport.

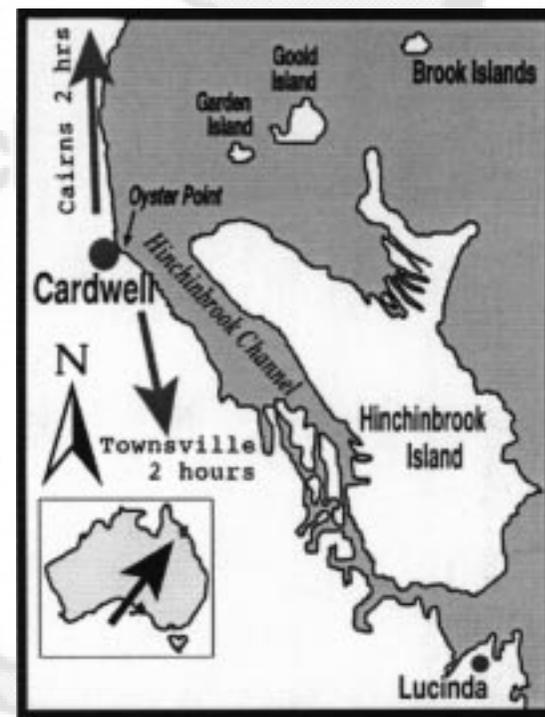
Williams purchased the site in 1993 from Teakin Australia, who had already cleared several hundred hectares of mangrove and melaleucas to construct a resort at the site. Teakin Australia abandoned the project in 1990 after their financial backers bailed. This followed a stop work notice served on the company pending the results of an Environmental Impact Analysis. It was later established, by the Queensland government, through interpretation of ambiguous boundaries that Hinchinbrook Channel was not part of the Great Barrier Reef Marine Park. Thus the Federal Government had no jurisdiction to order an EIA for Queensland State waters.

In 1993-94 the Goss Labor government fast tracked the approval of the development based on an environmental review which Professor Frank Talbot described as "A piece of work that would fail a student."

Draft copies of the document later obtained through the Freedom of Information Act, revealed that Keith Williams had influenced the report. Written in his own hand writing down the margin of the report were instructions such as, "Under no circumstances will I agree", "A suggestion on which I will insist", and simply, "Not acceptable."

Also obtained through an FOI was a letter to John Down, (the Queensland Co-ordinator General) which opened with; "I write this letter to you personally and it might be best to destroy it after you have absorbed the contents. I would not like it to become subject to FOI, because you and your staff have devoted so much time and effort to getting 'Port Hinchinbrook' through an inordinate amount of red tape..."

In a "Four Corners" report aired September 23rd 1994; Williams insinuated that Dr Tony Preen had lied about there being Dugongs near Oyster Point.



In November 1994 site workers under Williams' instructions proceeded with further clearing of old growth mangrove forest on the Oyster Point foreshore. On November 15 the Governor-General issued a proclamation identifying Oyster Point as a property to which the World Heritage Protection Act applied, requiring an immediate stop work on the site until Commonwealth approval had been obtained. Disobeying the proclamation, clearing of mangroves continued through the night until all the old growth trees at the site had been entirely destroyed. Williams has never been prosecuted for this action.

Approximately 130 scientists have formalised reports expressing extreme concern over the potential impact on the area to Senator Robert Hill, and approximately 200 were received by his predecessor Senator Faulkner. In Dr Peter Valentine's report, commissioned by Faulkner in 1994, Valentine stated; "There are two major categories of potential impact on World Heritage values: those arising from construction and maintenance of the resort and marina- vegetation clearing, channel dredging, excavation of acid sulphate soils- and those from the effects of greatly expanded tourism and boating". It is important to note that acid sulphate run off would severely damage nearby coral reefs, sea grass, and other delicate marine life.

Despite these reports; Following the election of the Liberal/National coalition Government in 1996, Williams reapplied for the project's approval including, yet again an environmental report he himself had commissioned.

On August 22nd 1996 our so called Minister for the Environment, Senator Robert Hill announced approval for the Port Hinchinbrook Resort; deferring the legally required Statement of Reasons for his decision until October 9. Senator Hill's approval was based on the questionable report submitted by Williams. In announcing his decision Senator Hill stated: "The scientific advice I have before me indicates that the World Heritage values of the region will not be threatened".

Environmental protection groups such as 'Friends of Hinchinbrook', have been lobbying for over a decade in what has become Australia's longest running Environmental dispute. This has resulted in many arrests and legal actions with group members receiving harsh penalties for their

involvement.

Challenging the decision to allow dredging of a canal into the Channel in the Federal Court, the Friends of Hinchinbrook appeared before Justice Mary Gaudron. Unsuccessful with this attempt, they requested special leave to appeal to the High Court. Refusing the right to appeal, Justice Mary Gaudron stated, "There is not sufficient prospect of success to attract the granting of special leave."

On the 31st of March 1998 the Friends of Hinchinbrook Society were ordered to pay the court costs of the Environment Minister Robert Hill and the developer Keith Williams. The Federal Court ruled the Society had persisted in "unsupported claims," forcing them to pay a sum estimated to be tens of thousands of dollars.



On February 19, 1997 protesters, including a contingent of UOW Students, occupied John Howard's electorate office for six hours increasing media coverage in protest of the development. Protesters drank the Prime Minister's beer, ate boiled sweets, and used his office phone to call out for pizza, and contacted 'Mates' overseas, before pasting an image of Howard's face over the Queen's portrait, before chaining themselves to furniture. After the media was asked to leave, arrests were made.

Meanwhile both the developer and Government officials protecting his interests, came under harsh scrutiny from some of the world's leading scientists, issuing formal letters of complaint. Amongst these were statements from Sir David Attenborough, Dr David Suzuki, Professor Paul Ehrlich, and Professor Ian Lowe, just to name a few.

During a peaceful protest in September of 1997 adjacent to the site, protesters were assaulted by site workers and supporters of the Resort while local police stood by and watched on, appearing to condone the unreciprocated violence. Despite

numerous complaints being filed against the resort's supporters, and images of the debacle being broadcast briefly across the nation, no one was prosecuted.

The titanic excavation of a 9 km canal was dredged into the Hinchinbrook Channel in 1997. The company responsible for dredging the channel have gone bust, due to Williams' inability to pay them. Poetic Justice? Maybe - if the captain goes down with his 35m yacht.

In retrospect the Valentine Report of '94' appears to be one hundred percent accurate. From 1996-97, 39 separate water sample tests, taken from the site by the Great Barrier Reef Marine Park Authority, indicate a pH discharge of lower than 6.0, some as low as 3.5. A reading of lower than 6.0 is a clear violation of the land deed. However the EPA and Howard Government have failed to act on these findings.

Keith Williams is not the only threat to this sensitive ecosystem. Last year local government gave themselves approval to construct yet another marina nearby, (the Dungeness Marina). Cutting down mangroves to allow the site to degrade, enabled them to surmise that the new marina would only improve the area.

Also of concern is an adjacent prawn farm with plans to expand that require the excavation of vital habitat, and high levels of nutrients to be discharged into the relatively still waters Hinchinbrook Channel.

Of significant impact to the area is the expansion of sugar cane farming which requires mammoth land clearing and huge quantities of fertilisers annually. The nutrient run-off from this flows directly into the Great Barrier Reef WHA.

A Senate Investigation into corruption was launched in June 1998, that received numerous complaints from politicians and Cardwell properties, (managers of the development) insisting that the inquiry was a waste of money and the result, (ie the resort) was a forgone conclusion. Speaking for the inquiry, Senator John Woodley stated, "The inquiry will look into what the Democrats suspect has been the corruption of scientific findings, the corruption of Government processes, and unacceptable damage to the World Heritage values of the area". The inquiry is due to adjourn on August 27, 1999. So stay tuned to the media, or contact The Wilderness Society to



prepare for the next public uprising.

While such inquiries hold some hope for accountability, it is unlikely that they will result in prosecution of government officials or Keith Williams and Associates. Traditionally in this country these people are well beyond the law.

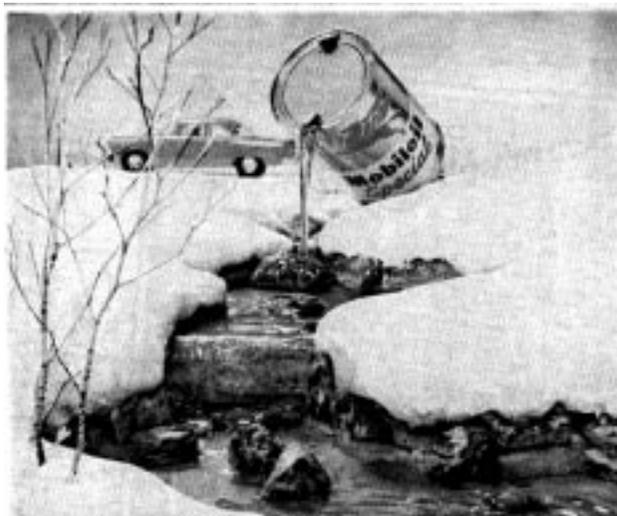
Currently Premier Beattie's Queensland State Government are withholding a vital acid sulfate report on the port Hinchinbrook development. The report completed in February this year was put through Cabinet to ensure its unavailability through Freedom of Information legislation, preventing public access to the document. Beattie had promised the people of Queensland the development would be monitored in a transparent and rigorous way. These developments suggest that the current Queensland government is as crooked as ever.

Between 1997 and 1998 I participated in demonstrations against the development at Oyster Point. One of the highlights of these actions occurred on December 14th 1997 at the opening of port Hinchinbrook; then consisting of little more than a public boat ramp in to the freshly dredged canal, and spattering of exotic palms. The site became colloquially known as 'Club Mud'. The developer's 'club med' style of promotion stood in stark contrast to the muddy foreshore reality of the opening. The then state Premier Rob Borbidge officially opened the first stage of the resort, engaging in a sideways hand shake with Williams, whilst proclaiming the first

stage of the resort," a victory for ordinary people". Outside, the Protester's chants, "Extinction for profit" were drowned out by classical music played through loud speakers. Democrat Senator Andrew Bartlett and speaker for the state Greens Drew Hutton were threatened with arrest as they attempted to enter the property to witness the official speeches. Calling the coalition government "An unholy alliance", Mr Hutton said, "It was appalling a member of Federal Parliament had not been permitted to listen to the Premier's speech.

This was the last time I saw the Island before swapping the majesty of Hinchinbrook for the perpetual industrial sunsets of Mount Kiera, and commencing study at UOW. While I have seen many spectacular photos of the Island I left behind, none of them have captured the awe inspiring nature of this unique tropical environment. Truly the most beautiful place this combi kid has visited ever.

At the turn of this century we need to ask ourselves what sort of world we want to leave to the Children of the next Millennium. A world without Dugongs? Or a World without Dugongs? Or a world without excessively wealthy money hungry monsters, leeching away at this innocent planet. Faith in accountability, and our very society are at stake; a stake we must drive through the wallets of these demonic capitalists, returning the proceeds to the earth for good.



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